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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,555	11/12/2003	Paul Gierow	S7312-70443	9160
32009	7590	06/26/2006	EXAMINER	
BRADLEY ARANT ROSE & WHITE LLP 200 CLINTON AVE. WEST SUITE 900 HUNTSVILLE, AL 35801			BASHORE, ALAIN L	
			ART UNIT	PAPER NUMBER
			1762	

DATE MAILED: 06/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/712,555

Applicant(s)

GIEROW ET AL.

Examiner

Alain L. Bashore

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1, 11-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The last recitation of claim 1 is confusing. It is not clear the functional connection between the reflective coating, diffuse material, and what constitutes the target reflector.

Claims 11 and 12 appear to be duplicates of each other.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-8, 20, 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Turner et al in view of Hakuta et al.

Turner et al discloses a target reflector where the object comprising a diffuse material (as an adhesive) that is applied to the surface of an object that bonds with the surface of the object. There is then a reflective coating on top of the layer. There is thus formed a target reflector that includes the diffuse material (col 3, lines 5-41).

There is not disclosed the diffuse material as:

“applying” the reflective material on top of the diffuse material,
mixing with a solvent then applying both to the surface of the object;
fibers or micro-glass beads; or,
applying as a liquid solution of membrane then curing the liquid.

Hakuta et al discloses that the diffuse material may be: with the reflective material applied on top of the diffuse material further mixing with a solvent then applying both to the surface of the object (para 0103, 0592), fibers and micro-glass beads (para 0712), applying as a liquid solution then curing the liquid (see abstract).

It would have been obvious to one with ordinary skill in the art to include with the reflective material applied on top of the diffuse material because Hakuta teaches desirability for adhesiveness of applied coating (para 0004).

It would have been obvious to one with ordinary skill in the art to include mixing with a solvent then applying both to the surface of the object; further applying as a

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liquid solution of membrane then curing the liquid, both because Hakuta teaches desirability of formation (para 0103).

It would have been obvious to one with ordinary skill in the art to include fibers or micro-glass beads because Hakuta teaches such as desirable for structural enhancement (para 0712).

5. Claims 9-16, 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Turner et al in view of Hakuta et al as applied to claims above, and further in view of Mimura

Turner et al and Hakuta et al do not disclose a metalized reflective coating comprising: aluminum, gold, silver, germanium or chromium.

Mimura discloses a metalized reflective coating comprising: aluminum, gold, silver, germanium, and chromium (col 6, lines 41-54; col 8, lines 3-28).

It would have been obvious to one with ordinary skill in the art to include a metalized reflective coating comprising: aluminum, gold, silver, germanium or chromium because Ash teaches teaches reflective coatings with desired properties (col 6, lines 41-54; col 8, lines 3-28).

6. Claims 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Turner et al in view of Hakuta et al as applied to claims above, and further in view of Hubbs

Turner et al and Hakuta et al do not disclose applying through a template that is overlayed on the surface of the object.

Hubbs discloses applying through a template that is overlayed on the surface of the object

It would have been obvious to one with ordinary skill in the art to include applying through a template that is overlayed on the surface of the object because.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alain L. Bashore whose telephone number is 571-272-6739. The examiner can normally be reached on about 7:30 am to 5:00 pm (Mon. thru Thurs.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks can be reached on 571-272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Alain L. Bashore
Primary Examiner
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